

REMARKS

Claims 4, 8, 11, 15, 17, and 21 have been canceled without prejudice.

New Claims 22-27 have been added based on original Claims 1, 9, and 16.

New Claims 28-30 have been added based on the disclosure at pages 4-8.

Claims 1-3, 5-7, 9-10, 12-14, 16, 18-20, and 22-30 are now in the application.

Claims 1, 5, 6, 9, 12, 13, 16, 18, and 19 have been amended based on the disclosure at page 4, lines 4-9.

Rejection under 35 U.S.C. § 112

Claims 1-21 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to distinctly claim the invention. Applicants respectfully traverse this rejection. The Office Action asserts that the phrases "a set of usage instructions" or "a set of personalized instructions" is indefinite because it is not clear what these instructions encompass. Applicants have canceled the claims having the phrase "a set of personalized instructions", without prejudice. Applicants have amended the Claims 1, 5, 6, 9, 12, 13, 16, 18, and 19 to specify that the set of usage instructions comprise an instruction to use the first composition in combination with the second composition of the kit. Applicants submit that the claims are now definite and patentable under 35 U.S.C. § 112, second paragraph.

Rejection under 35 U.S.C. § 102

Claims 1-21 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ehrlich et al., U.S. Patent No. 4,099,912. Applicants respectfully traverse this rejection. Ehrlich teaches a method of washing laundry comprising a plurality of separate units of different detergent composition components, the units being of tablet, envelope, packet, capsule or other container form. Ehrlich teaches that the unit doses of his invention are preferably powder tablets. Ehrlich further teaches that "[w]hen instead of tablets, other containers, such as envelopes, packets or capsules of powders or liquids are employed, the weights and sizes thereof will preferably be such as to approximate those of the tablets." See col. 9, lines 57-60.

In contrast, the present invention relates to a kit comprising two or more compositions (at least one of which being a liquid) packaged in separate containers, with at least one of the containers containing multiple doses of at least one of the compositions, and further comprising a coordinated element selected from the group consisting of a brand name, container graphics, a dye, a perfume, a trade dress, a set of usage instructions comprising an instruction to use the fabric conditioning composition in combination with the fabric treatment composition, and a combination thereof. Ehrlich does not teach each

and every element of the claimed invention, such as a coordinated element as presently claimed. Applicants thus submit that Claims 1-21 are novel and patentable over Ehrlich under 35 U.S.C. § 102(b).

Rejection under 35 U.S.C. § 103

Claims 1, 4, 5, 7, 9, 11-16, and 17-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Flynn, U.S. Patent No. 4,563,186. Applicants respectfully traverse this rejection. The invention of Flynn relates to a prespotter product packaged in a dispensing container that is uniquely combined with a container used to package laundry detergent. The prespotter dispensing container is not only attached to or integral with the detergent container, but it can be detached from or otherwise used separately. See col. 1, lines 33-50.

In contrast, the present invention relates to a kit comprising two or more compositions packaged in separate containers and further comprising a coordinated element selected from the group consisting of a brand name, container graphics, a dye, a perfume, a trade dress, a set of usage instructions comprising an instruction to use the fabric conditioning composition in combination with the fabric treatment composition, and a combination thereof. In the invention of Flynn, the prespotter dispensing container is integral with the detergent container. Although the prespotter dispensing container can be detached or otherwise used separately, there is no suggestion of a coordinated element, as presently claimed, in such an embodiment. Applicants thus submit that Claims 1, 4, 5, 7, 9, 11-16, and 17-21 are unobvious and patentable over Flynn under 35 U.S.C. § 103(a).

Furthermore, Flynn does not teach or suggest a coordinated element such as a brand name or perfume, as required by new Claims 22-27. Flynn also does not teach or suggest the methods of new Claims 28-30. Applicants thus submit that new Claims 22-30 are unobvious and patentable over Flynn under 35 U.S.C. § 103(a).


CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested.

Respectfully submitted,

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